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Motion: My Constitutional Rights to a Jury Trial Remain Inviolate.

"The right of jury trial as provided by this constitution shall remain inviolate"

2009 AUG 31 A 8:52

Arizona Corporation Commission

DOCKETED

AUG 31 2009

Respondent: Kyle Schmierer

AZ CORP COMMISSION  
DOCKET CONTROL

Docket Control Arizona Corporation Commission  
1200 West Washington Phoenix, AZ 85007

DOCKETED BY

No government agency can deny or block the constitutional rights of any citizen! Thus the response of the Securities Division is irrelevant, illegal, immoral and pathetic!

Whereas the Seventh Amendment of the US Constitution guarantees all citizens a trial by jury in a civil case, I herby again assert my constitutional rights and again demand I be given a trial by a jury of my peers in civil court.

*Seventh Amendment: "In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any court of the United States, than according to the rules of the common law."*

Whereas the value of this case is by any measure over \$20.00 as I am faced with an extortion fine of \$1,000.00 or more, I herby assert my constitutional rights and demand I be given a trial by a jury of my peers in civil court.

Whereas the Arizona Constitution article VI, s 17 – 17 guarantees a trial by jury in any case where such a jury trial is demanded and I have formally demand a jury trial in this case and continue to demand my constitutional rights, the response of the Securities Division is irrelevant, immoral, illegal and pathetic! I must be given a jury trial or the case must be immediately dismissed!

*Arizona Constitution article VI, s 17 – 17: Section 17. The superior court shall be open at all times, except on nonjudicial days, for the determination of non-jury civil cases and the transaction of business. For the determination of civil causes and matters in which a jury demand has been entered, and for the trial of criminal causes, a trial jury shall be drawn and summoned from the body of the county, as provided by law. The right of jury trial as provided by this constitution shall remain inviolate, but trial by jury may be waived by the parties in any civil cause or by the parties with the consent of the court in any criminal cause. Grand juries shall be drawn and summoned only by order of the superior court.*

Whereas I have demanded in this motion that I receive a jury trial as guaranteed by both the US Constitution and Arizona Constitution, a jury trail must be granted. No cited case law or any law can supersede the US Constitution and deny anyone of their constitutional rights!

No government agency of the state of Arizona or the federal government can deny my constitutional rights. The right of jury trial as provided by the Arizona and US constitution shall remain inviolate!

Sincerely, Kyle Schmierer 8-31-2009

8-31-09